

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

Track 12: City of Rochester, New York

Track 13: Lincoln County, Missouri

(Case Nos. 19-op-45853; 20-op-45069)

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**ORDER AMENDING CERTAIN CASE MANAGEMENT ORDER DEADLINES FOR
PBM BELLWETHER CASES TRACKS 12 AND 13**

On October 27, 2023, the Court entered an order identifying four bellwether cases against the Pharmacy Benefit Manager Defendants (**PBM Defendants**). *See* Dkt. Nos. 5231 & 5268. On December 28, 2023, the Court entered a Case Management Order (**CMO**) that governed the proceedings for Tracks 12 and 13. Dkt. No. 5282. This CMO, among other items, included deadlines by which the parties were to produce data for claims, rebate and administrative fees, and mail order pharmacy dispensing.

On June 13, 2024, the parties submitted a Joint Motion to Amend Certain Case Management Order Deadlines for PBM Bellwether Cases Tracks 12 and 13. The Court has reviewed the parties' Joint Motion and hereby amends the CMO for Tracks 12 and 13 as follows:

- With the exceptions noted below, the PBM Defendants will produce accessible data from the fields and sources agreed to by the parties, including the data contemplated in ¶ F.6 of the CMO, by **July 31, 2024**.
- Express Scripts' data for all fields for the years 2006–2007 is archived and is estimated to take 3–4 months to restore and produce.

- Reserving all rights, OptumRx continues to discuss certain additional data sources with Plaintiffs. The parties will continue to discuss the deadlines for producing those additional, non-CMO data sources.
- The PBM Defendants may seek further extensions of these deadlines if problems with data production arise.
- Track 12 and 13 Plaintiffs will identify prescriptions, methodologies, and electronic scripts as contemplated in ¶ F.8 of the CMO by **September 16, 2024**.
- The PBM Defendants will produce “notes fields” as contemplated in ¶ F.9 of the CMO by **October 31, 2024**.

IT IS SO ORDERED.

Dated: 6/14/2024

s/Dan Aaron Polster

DAN AARON POLSTER
UNITED STATES DISTRICT JUDGE